

**MAY 15, 2023**

Mayor Susan R. Marshall called the regular meeting of the Tuckerton Borough Council to order on May 15, 2023 at 7:00 pm.

Provisions of the Open Public Meetings Act were complied with as notice was published to the *Beacon* and the *Asbury Park Press* stating the time, date and place of this meeting.

The following members of Council were in attendance: Keith Vreeland, Brian Martin, Sam Colangelo, Frank D'Amore, Ron Peterson and Mayor Marshall. Suzanne Taylor was absent.

Mayor Marshall led the salute to the flag.

**RESOLUTION #92-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, APPOINTING THOMAS A. ROSSI  
AS A FULL TIME POLICE OFFICER**

Mr. Peterson moved, second by Mr. Vreeland that Resolution #92-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Thomas A. Rossi was sworn in as a Tuckerton Borough Police Officer.

Mayor Marshall presented the Safe Boating Week Proclamation for the year 2023.

Mayor Marshall reads Councilwoman Taylor's resignation letter. Mr. Colangelo moved, seconded by Mr. Vreeland to accept Mrs. Taylor's resignation with regrets. It was so moved.

**ORDINANCE #4 OF 2023**

**ORDINANCE OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, AMENDING AND  
SUPPLEMENTING CHAPTER 89 OF THE  
BOROUGH CODE OF THE BOROUGH OF  
TUCKERTON ENTITLED "ALCOHOLIC  
BEVERAGES" SO AS TO REVISE THE ANNUAL  
FEE FOR PLENARY RETAIL CONSUMPTION AND  
DISTRIBUTION LICENSE AND CLUB LICENSE**

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Mr. Vreeland moved, second by Mr. Peterson that the meeting be opened to the public for a hearing on Ordinance #4 of 2023. It was so moved.

Mr. Vreeland moved, second by Mr. Martin the meeting be closed from the public hearing on Ordinance #4 of 2023. It was so moved

Mr. Vreeland moved, second by Mr. Colangelo that Ordinance #4 of 2023 be approved on second and final reading. It was so moved by the following vote: Yes – Vreeland, Martin, Colangelo, D’Amore, Peterson; No – none; Abstain – none; Absent – Taylor.

### **ORDINANCE #5 OF 2023**

#### **ORDINANCE OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING BOROUGH CODE CHAPTER 201 PEACE AND GOOD ORDER, TO PROVIDE A NEW ARTICLE VIII, ENTITLED “LIGHTING NUISANCES”**

Mr. Vreeland moved, second by Mr. Peterson that the meeting be opened to the public for a hearing on Ordinance #5 of 2023. It was so moved.

MaryAnn Cottrell, 695 Pine Ave, asked if this pertains to flashlights being shined onto other people’s property.

Mr. Vreeland stated that yes, it pertains to artificial light.

Mrs. Gleghorn stated that this will be enforced by Code Enforcement if you are going to go through the Peace and Good Order Code.

Gary Corriero, 925 South Green Street, asked if there any updates on the late night deliveries.

Mr. Vreeland stated that they are still working on it because there are also some State rules that are involved.

Kirk Olsen, 228 Western Ave, stated that he has had personal experiences with neighbors shining lights in to his bedroom and illuminating the house. He stated that he is glad this is finally happening and wants to know when this goes into effect. He also wants to know if Code Enforcement will go out at night to see what is going on and if this pertains to any artificial light. He also wants to know what the Borough will be doing

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about the back log of complaints, the process of how to submit a complaint, and what the time frame is to get the code enforcement officer out to the property.

Sen. Connors stated that there is no specified time, however if you come in and make a complaint the code enforcement officer will come out in a reasonable amount of time. If there is an issue where the light has to be measured at specific time, he suggests having a police officer go out to investigate it and will become a witness for the code enforcement officer.

Dawn Mathis, 687 Pine Ave, stated that there is no proof and it's traumatizing for her.

Tarah Busley, 312 Beach Plum Court, asked if this ordinance will also apply to the HOA communities in town.

Sen. Connors stated that yes it will.

Mayor Marshall stated that anyone can get a copy of the ordinance after it is published.

Mr. Vreeland moved, second by Mr. Martin the meeting be closed from the public hearing on Ordinance #5 of 2023. It was so moved

Mr. Vreeland moved, second by Colangelo that Ordinance #5 of 2023 be approved on second and final reading. It was so moved by the following vote: Yes – Vreeland, Martin, Colangelo, D'Amore, Peterson; No – none; Abstain – none; Absent – Taylor.

**ORDINANCE #2 OF 2023**

**CALENDAR YEAR 2023  
ORDINANCE TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

Mr. Martin moved, second by Mr. Peterson that the meeting be opened to the public for a hearing on Ordinance #2 of 2023. It was so moved.

Mr. Martin moved, second by Mr. Vreeland the meeting be closed from the public hearing on Ordinance #2 of 2023. It was so moved

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Mr. Martin moved, second by Vreeland that Ordinance #2 of 2023 be approved on second and final reading. It was so moved by the following vote: Yes – Vreeland, Martin, Colangelo, D’Amore, Peterson; No – none; Abstain – none; Absent – Taylor.

**ORDINANCE #3 OF 2023**

**ORDINANCE OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 249 OF THE BOROUGH CODE OF THE BOROUGH OF TUCKERTON ENTITLED “WATER AND SEWERS” SO AS TO REVISE THE ANNUAL RATES**

Mr. Martin moved, second by Mr. Vreeland that the meeting be opened to the public for a hearing on Ordinance #3 of 2023. It was so moved.

Mr. Martin moved, second by Mr. Vreeland the meeting be closed from the public hearing on Ordinance #3 of 2023. It was so moved

Mr. Martin moved, second by Vreeland that Ordinance #3 of 2023 be approved on second and final reading. It was so moved by the following vote: Yes – Vreeland, Martin, Colangelo, D’Amore, Peterson; No – none; Abstain – none; Absent – Taylor.

**RESOLUTION #93-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PAYMENT OF CLAIMS**

Mr. Martin moved, second by Mr. Vreeland that Resolution #93-23 be approved authorizing payment of claims in the amount of \$975,198.36. It was so moved by the unanimous consent of Council.

**RESOLUTION #94-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR THE BOROUGH OF TUCKERTON**

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Mr. Martin moved, second by Mr. Vreeland that Resolution #94-23 be approved as read. It was so moved by the unanimous consent of Council.

**RESOLUTION #95-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING RELEASE OF A PERFORMANCE BOND FOR JOHN MILLER CAR CARE.**

Mr. Martin moved, second by Mr. Vreeland that Resolution #95-23 be approved as read. It was so moved by the unanimous consent of Council.

**RESOLUTION #96-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A CONTRACT TO JPC GROUP FOR THE 2022 LANYARD LAGOON LIVING SHORELINE PROJECT**

Mr. Martin moved, second by Mr. Vreeland that Resolution #96-23 be approved as read. It was so moved by the unanimous consent of Council.

**RESOLUTION #94-23**

**RESOLUTION OF THE BOROUGH OF TUCKERTON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THE TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE FOR THE BOROUGH OF TUCKERTON**

Mr. Martin moved, second by Mr. Vreeland that Resolution #94-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. Colangelo stated that the Stafford Household Hazardous Waste Program is coming up and must register online. He also stated that the Document Shredding Program is coming up in Little Egg Harbor as well and will have more information on this at the next meeting. Finally he stated that the Public Works yard will be closed on Memorial Day.

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**RESOLUTION #97-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, TO CANCEL WATER & SEWER  
CHARGES FOR THE YEAR 2021 & 2022**

Mr. Colangelo moved, second by Mr. Martin that Resolution #97-23 be approved as read. It was so moved by the unanimous consent of Council.

Mr. D'Amore moved, second by Mr. Peterson that the minutes of the meeting from May 1, 2023 be approved. It was so moved by unanimous consent of Council.

**RESOLUTION #98-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON COUNTY OF OCEAN, STATE OF  
NEW JERSEY ASSESSING LIEN UPON  
DWELLINGS OR LANDS FOR PROPERTY  
MAINTENANCE PURSUANT TO BOROUGH  
ORDINANCE §103-2 AND PERMITTED BY N.J.S.A.  
40:48-1.14**

Mr. Colangelo moved, second by Mr. Martin that Resolution #98-23 be approved as read. It was so moved by the unanimous consent of Council.

Mayor Marshall read a letter about the American Legion and Auxiliary.

Mayor Marshall presented a poster about an upcoming movie festival in Long Beach Island. The poster is hung up in the bulletin board on the municipal complex.

**RESOLUTION #99-23**

**RESOLUTION OF THE BOROUGH OF  
TUCKERTON, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, PROVIDING FOR AN EXECUTIVE  
SESSION IN ACCORDANCE WITH THE  
PROVISIONS OF THE OPEN PUBLIC MEETINGS  
ACT.**

Mr. Martin moved, second by Mr. Vreeland that Resolution #99-23 be approved as read. It was so moved by the unanimous consent of Council.

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Mr. Peterson moved, seconded by Mr. Vreeland to approve a raffle license submitted by the Tuckerton Historical Society for June 10<sup>th</sup> as well as waiver of fee. It was so moved.

Kaylyn Ullman, Chair of the Environmental Commission, thanked the TBA for their donation last month, Mr. D'Amore and Mr. Morey for fixing the sprinkler system, Paul Solimani, Don Lease, Andrew Bidder, Michael Wilson, Tamara Westcot and her kids, Gary and Christine Wagner, and everyone else that has stopped by to get the Community Garden going.

She stated our next Garden Club meeting will be Saturday May 20<sup>th</sup>, where they will be fixing the beds, weeding and finally planting.

She continued that there next project the club will be working on is the Main Street Planters and would like to thank Hands Garden Center for donating all the plants to beautify the garden.

Mr. Colangelo moved, seconded by Mr. Vreeland to open the meeting to the public. It was so moved.

Dawn Mathis, 687 Pine Ave, stated that she has a problem with her water and sewer billing. She stated that she has gotten different bills and she keeps hearing different things and was told that it is her responsibility to check her bill. She stated she wants her interest waived and wants someone to look into the billing system.

Mayor Marshall asked if she has been in to talk to the tax office.

Mrs. Mathis stated that she has been into the office and they both told her that it is a state law and it's on her.

Kirk Olsen, 228 Western Ave, gives the council pictures of the ongoing problem with his neighbors. He explains that they are screaming expletives at his wife and kids and it is getting worse! Code enforcement is bringing him to court for several violations on his house that his neighbors also have and are not even being looked into. He reported this to Mr. Reed and he was going away, he just wants someone to drive by his house to see what is going on.

Mr. McAndrew stated that he wanted to clarify that his problem is with the construction office and not with code enforcement.

Elain McClure, 199 Cedar Street, stated that she is here speaking on behalf of Nancy Speck. She asked for an update on the fire department.

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Sen. Connors explained where Council is at regarding the fire department at the moment.

Paul Solimani, stated that the PCUA meetings have been moved to the Grapevine, and that he submitted a sign drawing for a new and improved Paradise Cove sign.

Mr. Colangelo stated that he should get a tax map and try putting it on private property and not Borough property.

Anthony Scaglione, 125 Curlew Road, thanked Council and Brian Martin and the TBA for finally making way with dredging and landyard lagoon.

Mr. Martin stated that John Schwartz was the one who started all of this and he was just piggy backing off all his work.

Chris Volz, 265 Heron Road, asked if the roads will be paved after the construction on Green Street.

Mr. Colangelo confirmed that they will be paving it.

Kaylyn Ullman, 239 South Green Street, asked if Council had an update on Cannabis.

Mr. Vreeland stated that they have been reviewing it and they are planning to make a statement at the next meeting.

Tarah Busley, 312 Beach Plum Court, stated that she has been having ongoing issues with her HOA and in their bylaws it states that if the HOA cannot fulfill their duties the town can take over the HOA. She also stated that the police are not doing their jobs and someone needs to be held accountable.

Mayor Marshall stated that Council does not get involved in these matters.

There being no further comments or questions, Mr. Colangelo moved, second by Mr. Vreeland that the public portion of the meeting be closed. It was so moved.

Mr. Colangelo moved, second by Mr. Vreeland that the meeting be adjourned. The motion was unanimously approved at 8:21pm.

Respectfully submitted,

Approved:

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**JENNY GLEGHORN, RMC  
BOROUGH CLERK**

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**SUSAN R. MARSHALL  
MAYOR**